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Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 June 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Violence Against Women Online

Amnesty International welcomes the report of the Special Rapporteur on violence against women, its causes and consequences in relation to online violence against women and girls from a human rights perspective.[1]

- **Increased replication of widespread inequality and discrimination against women embedded in society online[2]**

As the Special Rapporteur highlights in her recent report: "When women and girls do have access to and use the Internet, they face online forms and manifestations of violence that are part of the continuum multiple, recurring and interrelated forms of gender-based violence against women."[3]

Amnesty International's research has highlighted the varying ways women experience violence and abuse on social media platforms such as direct or indirect threats of physical or sexual violence, abuse targeting one or more aspects of a woman's, targeted harassment and privacy violations such as doxing or the sharing of sexual or intimate images of a woman without her consent. Sometimes one or more forms of such violence and abuse will be used together as part of a coordinated attack against an individual.[4] In November 2017, Amnesty International commissioned an online poll with Ipsos MORI about women's experiences of abuse and harassment on social media platforms across eight countries including the UK, USA, Spain, Denmark, Italy, Sweden, Poland and New Zealand. The findings showed that nearly a quarter (23%) of the women surveyed said they had experienced online abuse or harassment at least once. Of women polled who had experienced online abuse or harassment, more than a quarter (26%) said they had received threats of physical or sexual assault and almost half (46%) of the women who experienced abuse or harassment said it was sexist or misogynistic in nature. 41% of women who had experienced online abuse or harassment said that on at least one occasion, these online experiences made them feel that their physical safety was threatened.[5]

- **Women have the right to live free from discrimination, both online and offline**

The Special Rapporteur notes in her report that "*women who have multiple identities are often targeted online on the basis of a combination of these factors*".[6] It is therefore imperative that any analysis of violence and abuse against women online is not solely seen through a gender lens. Women who face discrimination because of their different identities offline often find that violence and abuse against them will target those same identities online. An individual's race, religion or sexual orientation, for example, can have just as much of an effect as gender—if not more—on how that person is treated both in the physical and digital world. In the case of online violence and abuse, women of colour, religious or ethnic minority women, lesbian, bisexual, transgender or intersex (LBTI) women, women with disabilities, or non-binary individuals who do not conform to traditional gender norms of male and female, will often experience abuse that targets them in unique or compounded ways.

- **Increased use of violence and abuse against women online as a tactic to publicly exert power over women[7]**

The Special Rapporteur emphasizes that acts of online violence may force women to retreat from the Internet or withdraw from public life.[8] Amnesty International's March 2018 report *#ToxicTwitter: Violence and Abuse against*

1 UN.Doc. A/HRC/38/47, available at https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session38/Documents/A_HRC_38_47_EN.docx
2 See https://medium.com/amnesty-insights/unsocial-media-the-real-toll-of-online-abuse-against-women-37134ddab3f4
3 See *supra* n. 1, para. 14.
4 See https://www.amnesty.org/en/latest/research/2018/03/online-violence-against-women-chapter-3/#topanchor
5 See supra n. 2.
6 See *supra* n. 1, para. 29
7 See *supra* n. 2.

Women Online highlights the harmful impact of violence and abuse against women on Twitter which can lead women to self-censor what they post, limit or change their interactions online, or at times drive women off the platform altogether. In some instances, the threat of violence and abuse against women on Twitter, alone, leads to a chilling effect on women speaking out. The silencing and censoring impact of violence and abuse against women online can have far-reaching and harmful repercussions on how younger women, women from marginalized communities, and future generations fully exercise their right to participate in public life and freely express themselves online.[9] Amnesty International's online poll showed that of the women polled across the 8 countries who experienced abuse or harassment on social media platforms, 76% said they made some changes to the way they used social media platforms as a result - including 32% of women saying that they changed the way they express themselves online in response to abuse or harassment.

In her report, the Special Rapporteur also raised the high degree of psychological harm associated with violence against women online.[10] It should be noted that the psychological consequences of violence and abuse against women online remains under-researched, and as a result, understated. However, almost every woman interviewed by Amnesty International spoke about the adverse impact of violence and abuse on Twitter on their mental health. In particular, women highlighted the interlinkages between their online and offline identities and stressed how violence and abuse online impacts their lives offline. The findings of Amnesty International's online poll showed that the majority of women polled across the eight countries who experienced abuse or harassment on social media platforms more generally reported stress, anxiety, panic attacks, powerlessness and loss of confidence as a result.

- **Corporate responsibility to respect all human rights**

This is an internationally endorsed standard of expected conduct. The Special Rapporteur notes in her report that *"internet intermediaries play a central role in providing digital spaces for interaction and, as such, have specific human right responsibilities."*[11] The corporate responsibility to respect requires social media platforms to take concrete steps to avoid causing or contributing to human rights abuses. In practice, this means social media platforms should be assessing – on an ongoing and proactive basis – how its policies and practices impact on users' rights to non-discrimination, freedom of expression and opinion, as well other rights, and take steps to mitigate or prevent any possible negative impacts.

This requires social media platforms to have policies that are compliant with international human rights standards and to ensure that it has a robust reporting process that enables users to easily report any instances of violence and abuse. Companies also have responsibility to ensure that women who experience violence and abuse on their platform have access to an effective complaints mechanism that they know about, are easily able to use and also trust. Amnesty International's research into experiences of violence and abuse against women on Twitter showed that despite the platform having a hateful conduct policy that covers many forms of abuse that affect women rights, it means little for women if such policies are not consistently enforced in practice.[12]

Furthermore, it is impossible to assess the effectiveness of reporting mechanisms if companies give little information about their internal review processes, including, how complaints are dealt with, the ratio of company moderators to the volume of reports, the type and level of gender-and other identity based human rights training the staff receives and the time limits and targets for reviewing reports. Social media platforms must also enable and empower users to use individual security and privacy measures such as blocking, muting and content filtering to curate a safer and less toxic online experience.

8 See *supra* n. 1, para. 26.
9 See *supra* n. 4.
10 See *supra* n. 1, para. 27
11 See *supra* n. 1, para. 71.
12 See *supra* n. 4.

While private companies have responsibilities under human rights law, states are considered the primary duty bearers. These obligations include the duty not only to tackle violence and abuse online, but to address the underlying causes of such abuse, including by ensuring the right to non-discrimination in the enjoyment of all human rights.[13] Overall, states must ensure that there are adequate laws in place to prevent and end online violence and abuse against women, and as emphasized by the Special Rapporteur in her report, must also combat negative and harmful gender stereotypes against women that contribute to the manifestation of violence and abuse against women online.[14]

- **Amnesty International urges the Human Rights Council to call on states to:**

1. Reaffirm the principle that that human rights and women's rights protected offline must also be protected online.
2. Comply with the recommendations made by the Special Rapporteur on violence against women, its causes and consequences in her recent report on violence against women online.
3. Recognize online and ICT-facilitated violence against women as a human rights abuse and a form of discrimination and gender-based violence against women, and duly apply core international human rights instruments.
4. Ensure that regulations on internet intermediaries respect the international human rights framework, including with regard to the right to freedom of expression and the responsibilities of businesses to respect human rights.
5. Enact and implement adequate legislation, including, where appropriate, criminal penalties (in line with international human rights law and standards) in relation to violence and abuse against women online.
6. Prioritize and invest in capacity building and training of law enforcement bodies on relevant legislation, gender equality, the harms of online violence and abuse, and best practices to support those who have experienced online violence and abuse.

13 *Ibid.*
14 See *supra* n. 1, para. 66.